



09/04/03

RCE/37398

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Attorney Docket No. 37167-8039.US01 (13724-845)

#4/RCE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Balbierz et al.  
Serial No.: 09/823,910  
Filing Date: March 30, 2001  
Examiner: Vrettakos, P.  
Group Art Unit: 3739  
Confirmation No. 7532  
For:

TISSUE BIOPSY AND TREATMENT APPARATUS

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TECHNOLOGY CENTER R3700

**Request for Continued Examination (RCE) Transmittal**

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application,  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

**Mail Stop RCE**  
**Commissioner for Patents**  
**P. O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

**Note:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114

- ☒ Enclosed  
☒ Amendment  
☒ Information Disclosure Statement, Form PTO-1449 and cited references.

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months.

*(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)*

3. **Fees** *The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when RCE is filed.*

☒ A check in the amount of \$375.00 is enclosed to cover the following fee.

☒ RCE fee required under 37 C.F.R. §1.17(e) (\$375.00)

☒ The Director is hereby authorized to charge any underpayment in fees (or credit any overpayments) to Deposit Account No. 50-2207.

Respectfully submitted,

Date: Sept. 3, 2003

Jacqueline F. Mahoney  
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